

**FILED**

SEP X 8 2008

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT,  
NORTHERN DISTRICT OF CALIFORNIA

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

AUG 21 2008

FILED  
CLERK'S OFFICE

Inasmuch as no objection is  
pending at this time, the  
stay is lifted.

SEP - 8 2008

CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION

IN RE: DIGITEK PRODUCTS LIABILITY LITIGATION

MDL No. 1968

(SEE ATTACHED SCHEDULE)

C-08-3173-BZ

**CONDITIONAL TRANSFER ORDER (CTO-1)**

On August 13, 2008, the Panel transferred eight civil actions to the United States District Court for the Southern District of West Virginia for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* \_\_F.Supp.2d\_\_ (J.P.M.L. 2008). With the consent of that court, all such actions have been assigned to the Honorable Joseph R. Goodwin.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Southern District of West Virginia and assigned to Judge Goodwin.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Southern District of West Virginia for the reasons stated in the order of August 13, 2008, and, with the consent of that court, assigned to the Honorable Joseph R. Goodwin.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Southern District of West Virginia. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

**A CERTIFIED TRUE COPY**

SEP - 8 2008

ATTEST  
FOR THE JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

**ENTERED**

SEP - 8 2008

TERESA L. DEPPNER, CLERK  
U.S. District Court  
Southern District of West Virginia

Jeffery N. Lüthi  
Clerk of the Panel

## IN RE: DIGITEK PRODUCTS LIABILITY LITIGATION

MDL No. 1968

## SCHEDULE CTO-1 - TAG-ALONG ACTIONS

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
ALABAMA MIDDLE ALM 2 08-616	Doris Hughes v. Actavis Totowa, LLC, et al.
ALABAMA NORTHERN ALN 2 08-1271	Bobbie Dyal, et al. v. Actavis Group hf, et al.
CALIFORNIA CENTRAL CAC 5 08-892 CAC 5 08-893 CAC 8 08-676	Richard Platzner, et al. v. Actavis Group hf, et al. Shannon Darby v. Actavis Group hf, et al. Richard Spangle v. Actavis Group hf, et al.
CALIFORNIA EASTERN CAE 2 08-1670	Patricia J. Harmon v. Actavis Totowa, LLC, et al.
CALIFORNIA NORTHERN <del>08-5173</del>	<del>Deplia Davis, et al. v. Actavis Group hf, et al.</del>
CALIFORNIA SOUTHERN CAS 3 08-980	Frank Grady, et al. v. Actavis Totowa, LLC, et al.
INDIANA SOUTHERN INS 1 08-910	Jerry J. Losh v. Actavis Totowa, LLC, et al.
KANSAS KS 6 08-1145	Peter J. Konek v. Actavis, Inc., et al.
LOUISIANA EASTERN LAE 2 08-3699 LAE 2 08-4029 LAE 2 08-4088	Joseph L. Barrow, et al. v. Actavis Group hf, et al. James E. Freeman, et al. v. Actavis Group hf, et al. J. Kenneth Jewel v. Actavis Group hf, et al.
LOUISIANA MIDDLE LAM 3 08-310	David Longmire, et al. v. Actavis Group hf, et al.
LOUISIANA WESTERN LAW 5 08-880	Florence Pierce, et al. v. Actavis Group hf, et al.
MICHIGAN EASTERN MIE 2 08-12898	Anthony Harris, et al. v. Actavis Totowa, LLC, et al.

**MDL No. 1968 - Schedule CTO-1 Tag-Along Actions (Continued)****DIST. DIV. C.A. #****CASE CAPTION****NEBRASKA**

NE 8 08-326

Karen Sheahan, et al. v. Actavis Totowa, LLC, et al.

**NEW JERSEY**

NJ 2 08-2943

Marion Roy, etc. v. Actavis Group hf, et al.

NJ 2 08-2960

Joyce A. Hergert, etc. v. Actavis Group hf, et al.

NJ 2 08-2976

Michael Pasken, et al. v. Actavis Group hf, et al.

NJ 2 08-3325

Jerry Bratcher, et al. v. Actavis Group hf, et al.

NJ 2 08-3348

Dona E. Bellamy, et al. v. Actavis Group hf, et al.

NJ 2 08-3349

Bertina E. Hoover, et al. v. Actavis Group hf, et al.

NJ 2 08-3350

Arika Elizabeth Morrow, etc. v. Actavis Totowa, LLC, et al.

NJ 2 08-3351

Phillip Mariam, et al. v. Actavis Group hf, et al.

NJ 2 08-3352

Jeanette Mcanly v. Actavis Group hf, et al.

NJ 2 08-3449

Ernestine Moore v. Actavis Group hf, et al.

NJ 2 08-3473

Marlene Lydia Bradaway, et al. v. Actavis Group hf, et al.

**OHIO SOUTHERN**

OHS 3 08-276

Sandra J. Marcum, etc. v. Actavis Group hf, et al.

**PENNSYLVANIA EASTERN**

PAE 2 08-2506

John Tucker, et al. v. Actavis Group hf, et al.

**TENNESSEE EASTERN**

TNE 1 08-134

Delores J. Keith, etc. v. Actavis Totowa, LLC, et al.

TNE 1 08-179

Benny Shope, etc. v. Actavis Totowa, LLC, et al.

**TEXAS SOUTHERN**

TXS 4 08-1995

Jennifer McCorquodale, etc. v. Actavis Group hf, et al.

**WEST VIRGINIA NORTHERN**

WVN 1 08-146

Robert Bey, et al. v. Mylan Pharmaceuticals, Inc., et al.

WVN 1 08-147

Dorothy Boullion v. Mylan Pharmaceuticals, Inc., et al.

WVN 1 08-148

Julie Carello v. Mylan Pharmaceuticals, Inc., et al.

WVN 1 08-149

Janetta Clark v. Mylan Pharmaceuticals, Inc., et al.

WVN 1 08-150

Robert Hemberger v. Mylan Pharmaceuticals, Inc., et al.

WVN 1 08-151

Vincent Maddi v. Mylan Pharmaceuticals, Inc., et al.

WVN 1 08-152

Thomas Murkowski v. Mylan Pharmaceuticals, Inc., et al.

WVN 1 08-153

Ray Murphy v. Mylan Pharmaceuticals, Inc., et al.

WVN 1 08-154

Roberta Sener v. Mylan Pharmaceuticals, Inc., et al.

WVN 1 08-155

Errol Simpson v. Mylan Pharmaceuticals, Inc., et al.

WVN 1 08-156

Ronald Wooten v. Mylan Pharmaceuticals, Inc., et al.

WVN 1 08-157

Alan Zacek v. Mylan Pharmaceuticals, Inc., et al.

WVN 1 08-158

Edmond Kazzi v. Mylan Pharmaceuticals, Inc., et al.

WVN 1 08-159

Andrew Porter v. Mylan Pharmaceuticals, Inc., et al.

**IN RE: DIGITEK PRODUCTS LIABILITY LITIGATION**

**MDL No. 1968**

**INVOLVED COUNSEL LIST (CTO-1)**

Actavis Elizabeth, LLC  
200 Elmora Avenue  
Elizabeth, NJ 07202-1106

Actavis Totowa, LLC  
101 East Main Street  
Little Falls, NJ 07424-5608

Actavis US, Inc.  
60 Columbia Road  
Building B  
Morristown, NJ 07960-4535

James S. Arnold  
ALLEN GUTHRIE MCHUGH & THOMAS  
P. O. Box 3394  
Charleston, WV 25333-3394

Patricia I. Avery  
WOLF POPPER LLP  
845 Third Avenue  
New York, NY 10022

Dawn M. Barrios  
BARRIOS KINGS DORF & CASTEIX LLP  
One Shell Square  
701 Poydras Street  
Suite 3650  
New Orleans, LA 70139-3650

Daniel E. Becnel, Jr.  
BECNEL LAW FIRM LLC  
106 West Seventh Street  
P.O. Drawer H  
Reserve, LA 70084

Scott R. Bickford  
MARTZELL & BICKFORD  
338 Lafayette Street  
New Orleans, LA 70130

Amber L. Blohm  
CASSEM TIERNEY LAW FIRM  
8805 Indian Hills Drive  
Suite 300  
Omaha, NE 68114

James E. Cecchi  
CARELLA BYRNE BAIN GILFILLAN ET AL  
5 Becker Farm Road  
Roseland, NJ 07068-1739

John R. Climaco  
CLIMACO LEFKOWITZ PECA WILCOX &  
GARFOLI CO LPA  
55 Public Square  
Suite 1950  
Cleveland, OH 44113

William G. Colvin  
HORTON MADDOX & ANDERSON PLLC  
One Central Plaza  
835 Georgia Avenue  
Suite 600  
Chattanooga, TN 37402

C. Brooks Cutter  
KERSHAW CUTTER & RATINOFF LLP  
401 Watt Avenue  
Sacramento, CA 95864

Frank Jacob D'Amico, Jr.  
622 Barone Street  
2nd Floor  
New Orleans, LA 70113

Leonard A. Davis  
HERMAN HERMAN KATZ & COTLAR LLP  
820 O'Keefe Avenue  
New Orleans, LA 70113-1116

**MDL No. 1968 - Involved Counsel List (CTO-1) (Continued)**

Richard A. Dean  
TUCKER ELLIS & WEST  
925 Euclid Avenue  
Suite 1150  
Cleveland, OH 44115

G. Rick DiGiorgio  
CORY WATSON CROWDER & DEGARIS PC  
2131 Magnolia Avenue  
Suite 200  
P.O Box 55927  
Birmingham, AL 35255-5972

Elizabeth J. Doepken  
COHEN & MALAD LLP  
One Indiana Square  
Suite 1400  
Indianapolis, IN 46204-2058

Fredrick Harold Fern  
HARRIS BEACH LLP  
One Gateway Center  
Suite 2500  
Newark, NJ 07102

Leonard V. Fodera  
SILVERMAN & FODERA PC  
1835 Market Street  
Eleven Penn Center  
Suite 2600  
Philadelphia, PA 19103-2968

Bruce Daniel Greenberg  
LITE DEPALMA GREENBERG & RIVAS LLC  
Two Gateway Center  
12th Floor  
Newark, NJ 07102

Barry M. Hill  
HILL WILLIAMS PLLC  
89 12th Street  
Wheeling, WV 26003

James B. Irwin, V  
IRWIN FRITCHIE URQUHART & MOORE LLC  
400 Poydras Street  
Suite 2700  
New Orleans, LA 70130

Bruce S. Kingsdorf  
BARRIOS KINGSDORF & CASTEIX LLP  
One Shell Square  
701 Poydras Street  
Suite 3650  
New Orleans, LA 70139-3650

Hugh Palmer Lambert  
LAMBERT & NELSON  
701 Magazine Street  
New Orleans, LA 70130

Christopher Lavorato  
LAVORATO HOUSE CHILTON & LAVORATO  
310 Capitol Street  
Salinas, CA 93901

Don K. Ledgard  
CAPRETZ & ASSOCIATES  
West Tower  
5000 Birch Street  
Suite 2500  
Newport Beach, CA 92660-2139

Arnold Levin  
LEVIN FISHBEIN SEDRAN & BERMAN  
510 Walnut Street  
Suite 500  
Philadelphia, PA 19106

Michael Alan Logan  
KANE RUSSELL COLEMAN & LOGAN  
1601 Elm Street  
37th Floor- Suite 3700  
Dallas, TX 75201-7207



**MDL No. 1968 - Involved Counsel List (CTO-1) (Continued)**

Fred S. Longer  
LEVIN FISHBEIN SEDRAN & BERMAN  
510 Walnut Street  
Suite 500  
Philadelphia, PA 19106

Christine A. Lustgarten  
DORNAN LUSTGARTEN LAW FIRM  
1403 Farnam Street  
Suite 232  
Omaha, NE 68102

John R. Malkinson  
MALKINSON & HALPERN PC  
223 West Jackson Boulevard  
Suite 1010  
Chicago, IL 60606

Deborah B. McIlhenny  
HUTTON & HUTTON LAW FIRM LLC  
8100 East 22nd Street, North  
Building 1200  
P.O. Box 638  
Wichita, KS 67201

Richard D. Meadow  
LANIER LAW FIRM PLLC  
126 East 56th Street  
6th Floor  
New York, NY 10022

Karen Barth Menzies  
ROBINSON CALCAGNIE & ROBINSON  
620 Newport Center Drive  
Seventh Floor  
Newport Beach, CA 92660

Mylan Bertek Pharmaceuticals, Inc.  
12720 Dairy Ashford Road  
Sugar Land, TX 77478-2844

Niki B. Okcu  
COTCHETT PITRE & MCCARTHY  
840 Malcolm Road  
Suite 200  
Burlingame, CA 94010

Ashley L. Ownby  
180 North Ocoee Street  
P.O. Box 176  
Cleveland, TN 37364-0176

John D. Peters  
Charfoos & Christensen, P.C.  
5510 Woodward Avenue  
Detroit, MI 48202

David M. Peterson  
PETERSON & ASSOCIATES PC  
801 West 47th Street  
The Park Plaza Building  
Suite 107  
Kansas City, MO 64112-1253

John Van Robichaux, Jr.  
ROBICHAUX LAW FIRM  
P.O. Box 792500  
New Orleans, LA 70179

Shelly A. Sanford  
SANFORD PINEDO LLP  
2016 Bissonnet Street  
Houston, TX 77005-1647

Kevin C. Schiferl  
LOCKE REYNOLDS LLP  
201 North Illinois Street  
Suite 1000  
P.O. Box 44961  
Indianapolis, IN 46244-0961

Richard W. Schulte  
BOTROS BEHNKE & SCHULTE LLC  
131 North Ludlow Street  
Suite 840  
Dayton, OH 45402

**MDL No. 1968 - Involved Counsel List (CTO-1) (Continued)**

Steven A. Stadtmauer  
HARRIS BEACH LLP  
One Gateway Center  
Suite 2500  
Newark, NJ 07102

Thomas N. Sterchi  
BAKER STERCHI COWDEN & RICE LLC  
2400 Pershing Road  
Suite 500  
Kansas City, MO 64108-2533

David B. Thomas  
ALLEN GUTHRIE MCHUGH & THOMAS PLLC  
P.O. Box 3394  
Charleston, WV 25333-3394

UDL Laboratories, Inc.  
1718 Northrock Court  
Rockford, IL 61103-1201

Tyler C. Vail  
DAVIS & NORRIS LLP  
One Highland Place  
2151 Highland Avenue  
Suite 100  
Birmingham, AL 35205

Michael M. Weinkowitz  
LEVIN FISHBEIN SEDRAN & BERMAN  
510 Walnut Street  
Suite 500  
Philadelphia, PA 19106

Scott Wm. Weinstein  
MORGAN & MORGAN PA  
12800 University Drive  
Suite 600  
P.O. Box 9504  
Fort Myers, FL 33906

Justin I. Woods  
GAINSBURGH BENJAMIN DAVID MEUNIER &  
WARSHAUER  
2800 Energy Centre  
1100 Poydras Street  
New Orleans, LA 70163-2800

Michael Carl Zellers  
TUCKER ELLIS & WEST LLP  
515 South Flower Street  
Suite 4200  
Los Angeles, CA 90071-2223

Diane K. Zink  
LAW OFFICE OF DIANE K ZINK  
425 West Airline Highway  
Suite B  
LaPlace, LA 70068

**IN RE: DIGITEK PRODUCTS LIABILITY LITIGATION**

**MDL No. 1968**

**INVOLVED JUDGES LIST (CTO-1)**

Hon. Robert R. Armstrong, Jr.  
U.S. Magistrate Judge  
274 Hugo L. Black U.S. Courthouse  
1729 5th Avenue, North  
Birmingham, AL 35203

Hon. Peter Beer  
Senior U.S. District Judge  
U.S. Courthouse, Room C-121  
500 Poydras Street  
New Orleans, LA 70130

Hon. Monti L. Belot  
Senior U.S. District Judge  
111 U.S. Courthouse  
401 North Market Street  
Wichita, KS 67202

Hon. Helen G. Berrigan  
Chief Judge, U.S. District Court  
C-556 Hale Boggs Federal Building  
U.S. Courthouse  
500 Poydras Street  
New Orleans, LA 70130

Hon. Cormac J. Carney  
U.S. District Judge  
1053 Ronald Regan Federal Building & U.S.  
Courthouse  
411 West Fourth Street  
Santa Ana, CA 92701

Hon. Curtis Lynn Collier  
Chief Judge, U.S. District Court  
317 Joel W. Solomon Federal Building & U.S.  
Courthouse  
900 Georgia Avenue  
Chattanooga, TN 37402

Hon. Frank C. Damrell, Jr.  
U.S. District Judge  
Robert T. Matsui U.S. Courthouse  
15th Floor  
501 I Street  
Sacramento, CA 95814-7300

Hon. Patrick J. Duggan  
Senior U.S. District Judge  
Theodore Levin U.S. Courthouse  
Room 867  
231 West Lafayette Boulevard  
Detroit, MI 48226

Hon. Joseph A. Greenaway, Jr.  
U.S. District Judge  
411 U.S. Post Office & Courthouse  
Two Federal Square  
Newark, NJ 07102

Hon. David F. Hamilton  
Chief Judge, U.S. District Court  
330 Birch Bayh Federal Building & U.S.  
Courthouse  
46 East Ohio Street  
Indianapolis, IN 46204

Hon. Katharine S. Hayden  
U.S. District Judge  
311 U.S. Post Office & Courthouse  
P. O. Box 999  
Newark, NJ 07101-0999

Hon. Lynn N. Hughes  
U.S. District Judge  
11122 Bob Casey U.S. Courthouse  
515 Rusk Avenue  
Houston, TX 77002



**MDL No. 1968 - Involved Judges List (CTO-1) (Continued)**

Hon. Irene M. Keeley  
U.S. District Judge  
P.O. Box 2808  
Clarksburg, WV 26302

Hon. Stephen G. Larson  
U.S. District Judge  
260 George E. Brown, Jr. U.S. Courthouse  
3470 Twelfth Street  
Riverside, CA 92501-3801

Hon. Mary Ann Vial Lemmon  
U.S. District Judge  
C-406 U.S. Courthouse  
500 Poydras Street  
New Orleans, LA 70130

Hon. Thomas N. O'Neill, Jr.  
Senior U.S. District Judge  
4007 James A. Byrne U.S. Courthouse  
601 Market Street  
Philadelphia, PA 19106

Hon. Frank J. Polozola  
Senior U.S. District Judge  
313 Russell B. Long Federal Building  
777 Florida Street  
Baton Rouge, LA 70801

Hon. Walter H. Rice  
Senior U.S. District Judge  
909 Federal Building  
200 West Second Street  
Dayton, OH 45402

Hon. Dana M. Sabraw  
U.S. District Judge  
U.S. District Court  
Edward J. Schwartz U.S. Courthouse, Suite 2160  
940 Front Street  
San Diego, CA 92101

Hon. Thomas D. Thalken  
U.S. Magistrate Judge  
United States District Court  
Roman L. Hruska United States Courthouse  
111 South 18th Plaza, Suite 2271  
Omaha, NE 68102

Hon. Donald E. Walter  
Senior U.S. District Judge  
4200 U.S. Courthouse  
300 Fannin Street  
Shreveport, LA 71101-3050

Hon. W. Keith Watkins  
U.S. District Judge  
F-300 Frank M. Johnson, Jr. Federal Courthouse  
Annex  
One Church Street  
Montgomery, AL 36104

Hon. Bernard Zimmerman  
U.S. Magistrate Judge  
Philip Burton U.S. Courthouse  
450 Golden Gate Avenue  
San Francisco, CA 94102

**IN RE: DIGITEK PRODUCTS LIABILITY LITIGATION**

MDL No. 1968

**INVOLVED CLERKS LIST (CTO-1)**

Debra P. Hackett, Clerk  
U.S. District Court  
P.O. Box 711  
Montgomery, AL 36101-0711

Timothy M. O'Brien, Clerk  
204 U.S. Courthouse  
401 N. Market Street  
Wichita, KS 67202

Perry D. Mathis, Clerk  
140 Hugo L. Black U.S. Courthouse  
1729 5th Avenue North  
Birmingham, AL 35203

Loretta G. Whyte, Clerk  
U.S. District Court  
500 Poydras Street  
Room C-151  
New Orleans, LA 70130

Sherri R. Carter, Clerk  
G-8 U.S. Courthouse  
312 North Spring Street  
Los Angeles, CA 90012

Nicholas Joseph Lorio, Clerk  
139 Russell B. Long Federal Building  
777 Florida Street  
Baton Rouge, LA 70801

Sherri R. Carter, Clerk  
Ronald Reagan Federal Building & U.S. Courthouse  
411 West Fourth Street  
Santa Ana, CA 92701-4516

Robert H. Shemwell, Clerk  
1167 U.S. Courthouse  
300 Fannin Street  
Shreveport, LA 71101-3083

Jack L. Wagner, Clerk  
4-200 U.S. Courthouse  
501 I Street  
Sacramento, CA 95814-2322

David J. Weaver, Clerk  
814 Theodore Levin U.S. Courthouse  
231 West Lafayette Boulevard  
Detroit, MI 48226

Richard W. Wicking, Clerk  
Phillip Burton U.S. Courthouse  
Box 36060  
450 Golden Gate Avenue  
San Francisco, CA 94102-3489

Denise Lucks, Clerk  
1152 Roman L. Hruska U.S. Courthouse  
111 South 18th Plaza  
Omaha, NE 68102-1322

W. Samuel Hamrick, Jr., Clerk  
4290 Edward J. Schwartz Federal Building  
880 Front Street  
San Diego, CA 92101-8900

William T. Walsh, Clerk  
Martin Luther King, Jr. Federal Building & U.S.  
Courthouse  
50 Walnut Street, 4th Floor  
Newark, NJ 07102

Laura A. Briggs, Clerk  
105 Birch Bayh Federal Building & U.S. Courthouse  
46 East Ohio Street  
Indianapolis, IN 46204

James Bonini, Clerk  
Federal Building, Room 712  
200 West Second Street  
Dayton, OH 45402

**MDL No. 1968 - Involved Clerks List (CTO-1) (Continued)**

Michael E. Kunz, Clerk  
2609 James A. Byrne U.S. Courthouse  
601 Market Street  
Philadelphia, PA 19106-1797

Patricia L. McNutt, Clerk  
U.S. District Court  
900 Georgia Avenue  
Room 309  
Chattanooga, TN 37402

Michael N. Milby, Clerk  
United States District Court  
P.O. Box 61010  
Houston, TX 77208-1010

Wally A. Edgell, Clerk  
P.O. Box 2857  
Clarksburg, WV 26302-2857

**UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION**

**CHAIRMAN:**  
Judge John G. Heyburn II  
United States District Court  
Western District of Kentucky

**MEMBERS:**  
Judge J. Frederick Motz  
United States District Court  
District of Maryland

Judge Robert L. Miller, Jr.  
United States District Court  
Northern District of Indiana

Judge Kathryn H. Vratil  
United States District Court  
District of Kansas

Judge David R. Hansen  
United States Court of Appeals  
Eighth Circuit

**DIRECT REPLY TO:**

Jeffery N. Lüthi  
Clerk of the Panel  
One Columbus Circle, NE  
Thurgood Marshall Federal  
Judiciary Building  
Room G-255, North Lobby  
Washington, D.C. 20002

Telephone: (202) 502-2800  
Fax: (202) 502-2888  
<http://www.jpml.uscourts.gov>

September 8, 2008

Teresa Deppner, Clerk  
Post Office Box 2546  
Charleston, WV 25329-2546

Re: MDL No. 1968 -- IN RE: Digitek Products Liability Litigation

(See Attached CTO-1)

Dear Ms. Deppner:

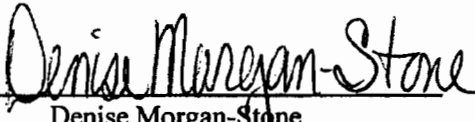
I am enclosing a certified copy and one additional copy of a conditional transfer order filed by the Panel in the above-captioned matter on August 21, 2008. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

A list of involved counsel is attached.

Very truly,

Jeffery N. Lüthi  
Clerk of the Panel

By   
Denise Morgan-Stone  
Deputy Clerk

Attachment

cc: Transferee Judge: Judge Joseph R. Goodwin  
Transferor Judges: (See Attached List of Judges)  
Transferor Clerks: (See Attached List of Clerks)

JPML Form 36